

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE:

Paul D. LaFollette
Diana L. LaFollette
Debtors

Case # 07-60469
Chapter 13
Judge Preston

MOTION TO MODIFY CONFIRMED CHAPTER 13 PLAN

Now come the Debtors, by and through counsel, and hereby move to modify their confirmed Chapter 13 Plan.

1. PARTICULAR REFERENCE TO PROVISIONS BEING MODIFIED:

GMAC- the GMAC claim shall be treated as a long term debt pursuant to 11 USC § 1322(b)(5). The debt shall survive the issuance of the discharge issued in this Chapter 13 case. There shall be no further distributions from the Chapter 13 estate on the GMAC claim.

The modification has been necessitated to permit the case to complete and afford the Debtors a discharge of their debts. The proposed modification does not propose to extend the length of the plan.

2. EFFECT OF MODIFICATION ON CREDITORS AND OTHER PARTIES IN INTEREST:

The proposed modification affects GMAC by providing that the long term debt shall survive the issuance of the discharge. The modified plan does not adversely affect any other creditors.

3. LAST CONFIRMATION ORDER:

This case was originally confirmed on May 23, 2008 (Doc #41). Post confirmation modifications were approved on: June 24, 2010 (Doc #90) and November 17, 2008 (Doc #67). No other post confirmation modifications have since occurred.

4. PERCENTAGE TO UNSECURED:

The modified plan does not propose to modify the dividend to unsecured claimholders. The confirmed Chapter 13 plan provides for a 0% dividend to unsecured creditors.

5. THE EFFECT ON MONTHLY PAYMENT:

The Debtors shall make one additional payment of \$150.00 within thirty (30) days of the Order approving the modification. The Debtors estimate that once the plan is modified, based upon the current status of claims filed and payments made, this payment will be sufficient to pay the Chapter 13 Plan in full. The Debtors estimate one month is necessary to complete the proposed modified plan.

/s/ John F. Cannizzaro
John F. Cannizzaro # 0005096
CANNIZZARO, BRIDGES
JILLISKY & STRENG, LLC
302 S. Main Street
Marysville, OH 43040
Telephone: 937-644-9125
Fax: 937-644-0754
jsheets@cfbjlaw.com

/s/ Paul D. LaFollette
Paul D. LaFollette

/s/ Diana L. LaFollette
Diana L. LaFollette

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NOTICE OF MOTION

Paul D. LaFollette and Diana L. LaFollette, the Debtors herein, have filed papers with the Court on a Motion to Modify Confirmed Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the motion, then on or before **twenty-one (21) days from the date set forth in the certificate of service for the motion/objection**, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to:

United States Bankruptcy Clerk's Office
170 N. High Street
Columbus, OH 43215

OR your attorney must file a response using the court's ECF System.

The court must **receive** your response on or before the above date.

You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to:

John F. Cannizzaro
302 S. Main Street
Marysville, OH 43040

Frank M. Pees, Chapter 13 Trustee
130 E. Wilson Bridge Rd., # 200
Worthington, OH 43085

U.S. Trustee's Office
170 N. High St., Suite 200
Columbus, OH 43215

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion/objection and may enter an order granting that relief without further hearing or notice.

Date: December 2, 2013

/s/ John F. Cannizzaro
John F. Cannizzaro #0005096
302 S. Main Street
Marysville, OH 43040

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CERTIFICATE OF SERVICE

I hereby certify that on December 2, 2013, a copy of the foregoing Motion to Modify Confirmed Chapter 13 Plan was served on the following registered ECF participants, **electronically** through the court's ECF System at the email address registered with the court:

Frank M. Pees, Chapter 13 Trustee;
U.S. Trustee's Office;

and on the following by **ordinary U.S. Mail** addressed to:

Paul & Diana LaFollette
2782 Twp Rd 32 South
Bellefontaine, OH 43311

And all parties on the attached matrix

/s/ John F. Cannizzaro
JOHN F. CANNIZZARO
CANNIZZARO, BRIDGES,
JILLISKY & STRENG, LLC
Attorneys at Law
302 S. Main Street
Marysville, OH 43040
937-644-9125 telephone
937-644-0754 fax
jsheets@cfbjlaw.com

Label Matrix for local noticing

0648-2

Case 2:07-bk-60469

Southern District of Ohio

Columbus

Fri Nov 22 15:34:47 EST 2013

Asst US Trustee (Col)

Office of the US Trustee

170 North High Street

Suite 200

Columbus, OH 43215-2417

Bellefontaine Radiological Associates

P.O. Box 1049

Lima, OH 45802-1049

John F Cannizzaro

302 South Main Street

Marysville, OH 43040-1556

Direct Merchants Bank

Attn: HSBC Card Member Services

Po Box 5246

Carol Stream, IL 60197-5246

ECMC

7325 Beaufont Springs

Suite 200

Richmond, VA 23225-5546

FairShare Plus

P.O. Box 340090

Boston, MA 02241-0490

Fia Csna

Po Box 17054

Wilmington, DE 19850-7054

GMAC

8101 N. High St Suite 200

Worthington, OH 43235-1406

Great Lakes Higher Education

PO Box 7858

Madison WI 53707-7858

(P)ADVANTA

700 DRESHER RD

HORSHAM PA 19044-2206

Bank of America

Nc4-105-03-14

4161 Peidmont Pwy

Greensboro, NC 27420

Bright Prospects, Ltd.

Bass and Associates PC

3936 E. Ft. Lowell Rd

Ste 200

Tucson, AZ 85712-1083

Citibank / Sears

P.O. Box 20363

Kansas City, MO 64195-0363

Discover Bank/DFS Services LLC

PO Box 3025

New Albany, OH 43054-3025

Educational Credit Management Corporation

7325 Beaufont Springs

Suite 200

Richmond, VA 23225-5546

Fairfield Resorts/Wyndham

P.O. Box 98944

Las Vegas, NV 89195-0001

G M A C

2740 Arthur St

Roseville, MN 55113-1303

GMAC

PO BOX 130424

Roseville, MN 55113-0004

HSBC

Hsbc Card Srvs Attn: Bankruptcy

Po Box 5213

Carol Stream, IL 60197-5213

Advanta Bank Corp., A Utah Industrial Bank

Portfolio Recovery Associates

PO Box 41067

Norfolk VA 23541-1067

Bank of America

Po Box 26012

Nc4-105-03-14

Greensboro, NC 27420-6012

(p)CAPITAL ONE

PO BOX 30285

SALT LAKE CITY UT 84130-0285

Credit Care

c/o Mary Rutan Hospital

112 Dowell Ave.

Bellefontaine OH 43311-2375

Discover Financial

Po Box 3025

New Albany, OH 43054-3025

FIA Card Services aka Bank of America

by eCAST Settlement Corporation

as its agent

POB 35480

Newark NJ 07193-5480

Fairshare Vacation Owners Association

10750 W Charleston Blvd Ste 130

Las Vegas NV 89135-1049

GEMB / Old Navy

Po Box 103106

Roswell, GA 30076-9106

Great Lakes Educational Loan Services, Inc

Attn Claims Filing Unit

P O Box 8973

Madison, WI 53708-8973

HSBC Auto Finance

Bankruptcy Notices

PO Box 17909

San Diego, CA 92177-7909

HSBC Bank NA/Direct Merchants Credit Card
Bank NA by eCAST Settlement Corporation
as its agent
POB 35480
Newark NJ 07193-5480

HSBC Bank Nevada and its Assigns
by eCAST Settlement Corporation
as its agent
POB 35480
Newark NJ 07193-5480

Honda Federal C U
1919 Torrance Blvd
Torrance, CA 90501-2722

Honda Federal Credit Union
17655 Echo Dr
Marysville OH 43040-9793

Hsbc/rs Ce
700 N Wood Dale Rd
Wood Dale, IL 60191-1136

Huntington National Bank
ATTN: B. D. Ralph (NC2W43)
2361 Morse Road
Columbus, OH 43229-5891

Huntington National Bank
P.O. Box 16722
Columbus, OH 43216-6722

Huntington National Bank
P.O. Box 182440
Columbus, OH 43218-2440

Huntington Natl Bk
2361 Morse Road
Columbus, OH 43229-5891

Jc Penney
Ge Money/Attn: Bankruptcy Dept
4125 Windward Plaza, Building 300
Alpharetta, GA 30005-8738

LVNV Funding LLC its successors and assigns
assignee of Citibank
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

LVNV Funding LLC its successors and assigns
assignee of Washington Mutual
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Diana L LaFollette
2782 Twp Rd 32 South
Bellefontaine, OH 43311-9735

Paul D LaFollette
2782 Twp Rd 32 South
Bellefontaine, OH 43311-9735

LabCorp
P.O. Box 2240
Burlington, NC 27216-2240

Mary Rutan Hospital
205 Palmer Ave
Bellefontaine, OH 43311-2298

Marysville Obstetrics & Gynecology
150 Morey Dr
Marysville, OH 43040-1646

Memorial Hospital of Union County
P.O. Box 931316
Cleveland, OH 44193-0004

Mid Ohio Radiology
90 Village Point Dr.
Powell, OH 43065-7207

PRA Receivables Management, LLC
PO Box 41067
Norfolk, VA 23541-1067

Frank M Pees
130 East Wilson Bridge Road
Suite 200
Worthington, OH 43085-2391

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Recovery Management Systems Corporation
25 SE 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Sears
Citi Corp Credit Services
Po Box 20363
Kansas City, MO 64195-0363

Sears Mastercard
P.O. Box 182786
Columbus, OH 43218-2786

Slm Entities/glelsi
2401 International Ln
Madison, WI 53704-3121

University Reference Labs
Dept 713194
Columbus, OH 43271-3194

Washington Mutual / Providian
Attn: Bankruptcy Dept
Po Box 10467
Greenville, SC 29603-0467

Wells Fargo Financial Bank
Attn Payment Processing
PO Box 14487
Des Moines IA 50306-3487

eCAST Settlement Corporation P.O. Box 35480 Newark, NJ 07193-5480	eCAST Settlement Corporation assignee of FIA Card Services aka Bank of America POB 35480 Newark NJ 07193-5480	eCAST Settlement Corporation assignee of GE Money Bank/JC Penney Consumer POB 35480 Newark NJ 07193-5480
eCAST Settlement Corporation assignee of GE Money Bank/Old Navy POB 35480 Newark NJ 07193-5480	eCAST Settlement Corporation successor to FIA Card Services aka Bank of America POB 35480 Newark NJ 07193-5480	

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Advanta Box 8088 Philadelphia, PA 19101-8088	CAPITAL ONE BANK C/O TSYS DEBT MANAGEMENT PO BOX 5155 NORCROSS, GA 30091	(d)Capital 1 Bank Attn: C/O TSYS Debt Management Po Box 5155 Norcross, GA 30091
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Portfolio Recovery Associates, LLC.
POB 41067
NORFOLK VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)The Huntington National Bank	(d)eCAST Settlement Corporation POB 35480 Newark NJ 07193-5480	End of Label Matrix Mailable recipients 67 Bypassed recipients 2 Total 69
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